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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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ORACLE USA, INC.; a Colorado corporation;
ORACLE AMERICA, INC.; a Delaware
corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

        Plaintiffs,

      v.

RIMINI STREET, INC., a Nevada corporation;
and SETH RAVIN, an individual,

        Defendants.

Case No. 2:10-cv-0106-LRH-VCF

**DECLARATION OF DAVID
KOCAN IN SUPPORT OF
ORACLE'S REPLY IN SUPPORT
OF MOTION TO COMPEL RE
POST-INJUNCTION DISCOVERY**

<u>FILED UNDER SEAL</u>

DECLARATION OF DAVID KOCAN IN SUPPORT OF ORACLE'S REPLY
IN SUPPORT OF MOTION TO COMPEL

I, David Kocan, declare as follows:

1.   I am an associate at Morgan, Lewis & Bockius LLP, counsel of record for Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corporation (collectively "Oracle") in this action. I have personal knowledge of the facts stated below and could and would testify to them if called upon to do so.

2.   Oracle has served fifteen Supplemental Requests for Production: Oracle's Supplemental Requests for Production of Documents (Suppl. RFP Nos. 1–5), served May 1, 2019, Oracle's Second Supplemental Requests for Production of Documents (Suppl. RFP Nos. 6–7), served June 28, 2019, Oracle's Third Supplemental Requests for Production (Suppl. RFP Nos. 8–11), served July 23, 2019, and Oracle's Fourth Supplemental Requests for Production (Suppl. RFP No. 12), served August 8, 2019, Oracle's Fifth Supplemental Requests for Production (Suppl. RFP No. 13), served August 15, 2019, and Oracle's Sixth Supplemental Requests for Production of Documents (Suppl. RFP Nos. 14–15), served August 30, 2019.

3.   Oracle has served seven Supplemental Interrogatories: Oracle's Supplemental Interrogatories (Suppl. Interrog. Nos. 1–5), served May 31, 2019, Oracle's Second Supplemental Interrogatories (Suppl. Interrog. No. 6), served June 28, 2019, and Oracle's Third Supplemental Interrogatories (Suppl. Interrog. No. 7), served August 30, 2019.

4.   Attached as Exhibit 8 is a true and correct excerpt of Rimini's operative responses to Oracle's Supplemental Interrogatories Nos. 1 and 5.

5.   Attached as Exhibit 9 is a true and correct excerpt of Rimini's operative responses to Oracle's Third Supplemental Requests for Production.

6.   Attached as Exhibit 10 is a true and correct excerpt of Rimini's operative responses to Oracle's Sixth Supplemental Requests for Production.

7.   Rimini has produced one document in response to Oracle's Supplemental Request for Production No. 11.

8.   Attached as Exhibit 11 is a true and correct copy of RSI006954036.

9.   Attached as Exhibit 12 is a true and correct copy of RSI007041376.

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DECLARATION OF DAVID KOCAN IN SUPPORT OF ORACLE'S REPLY
IN SUPPORT OF MOTION TO COMPEL

10.   Attached as Exhibit 13 is a true and correct copy of RSI007041886.

11.   Attached as Exhibit 14 is a true and correct copy of RSI007063463.

12.   Attached as Exhibit 15 is a true and correct copy of RSI007086636.

13.   Attached as Exhibit 16 is a true and correct excerpt of a July 19, 2019 letter from D. Kocan to E. Vandevelde.

14.   Attached as Exhibit 17 is a true and correct excerpt of a July 23, 2019 letter from C. McCracken to D. Kocan.

15.   Attached as Exhibit 18 is a true and correct excerpt of a July 30, 2019 email from C. McCracken to D. Kocan.

16.   Attached as Exhibit 19 is a true and correct excerpt of an Aug. 30, 2019 Letter from T. Prado to E. Vandevelde.

17.   Attached as Exhibit 20 is a true and correct copy of a Sept. 9, 2019 letter from E. Vandevelde to T. Prado.

18.   Attached as Exhibit 21 is a true and correct excerpt of a Sept. 17, 2019 letter from D. Kocan to E. Vandevelde.

19.   Attached as Exhibit 22 is a true and correct excerpt of an Oct. 4, 2019 letter from J. Minne to J. Tryck.

20.   Attached as Exhibit 23 is a true and correct excerpt of an Oct. 19, 2019 letter from J. Minne to J. Tryck.

21.   Attached as Exhibit 24 is a true and correct excerpt of an Oct. 28, 2019 letter from J. Tryck to J. Minne.

22.   Attached as Exhibit 25 is a true and correct excerpt of a Nov. 7, 2019 letter from C. Whittaker to J. Minne.

23.   Attached as Exhibit 26 is a true and correct excerpt of a Nov. 8, 2019 letter from J. Minne to J. Tryck.

24.   Attached as Exhibit 27 is a true and correct excerpt of a Nov. 18, 2019 letter from J. Tryck to J. Minne.

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DECLARATION OF DAVID KOCAN IN SUPPORT OF ORACLE'S REPLY
IN SUPPORT OF MOTION TO COMPEL

25.   Attached as Exhibit 28 is a true and correct excerpt of a Nov. 26, 2019 letter from J. Minne to J. Tryck.

26.   Attached as Exhibit 29 is a true and correct excerpt of a Dec. 3, 2019 letter from J. Tryck to J. Minne.

27.   I have connected to Rimini's online JIRA and DevTrack development systems using instructions produced by Rimini Street in this case. Connecting to Rimini's JIRA system involves the following steps. First, a user must ████████████████████████████████ ██████████████████. Second, a user must install ████████████████████████ ████████████. Using this software, a user must then ██████████████████████████ ████████████████████████. Upon initiating a ██████████████, a user must then ████████████ ████████████████████████. If the login is successful, ████████████████████████████████ ████████████████████████. Once connected via ██████████████████████ to the ██████ ██, a user must then ██████████████████████████ ██.

After launching this site, a user is then ██.

28.   Rimini has configured its JIRA system to ████████████████████████████████ ██████ such that users must ██ Rimini also restricts a user's ability to ██ ████████████████████. In order to ██████████████, a user must ██████████████████████████ ██. Once at the site, the user is prompted ██. Once connected, the user can ████████████████ ██████████████████████. To retrieve the ██ ██. The user is then prompted ██. Once logged in successfully, a user can ██.

DECLARATION OF DAVID KOCAN IN SUPPORT OF ORACLE'S REPLY
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29.   In my experience, connections to JIRA show significant lag times and disconnect

2 frequently. After disconnection, a user must perform the steps described above to reestablish a

3 connection.

4   I declare under penalty of perjury under the laws of the United States that the foregoing is

5 true and correct and that this declaration is executed at San Francisco, California, on December 6,

6 2019.

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9 Dated: December 6, 2019

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                                            /s/ David Kocan

                                            David Kocan

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12   Attorneys for Plaintiffs Oracle USA, Inc., Oracle
America, Inc. and Oracle International

13   Corporation

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DECLARATION OF DAVID KOCAN IN SUPPORT OF ORACLE'S REPLY
IN SUPPORT OF MOTION TO COMPEL